



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/06/2021

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PRESENT

The Hon'ble Mrs.Justice S.ANANTHI

CRL OP(MD). No.7216 of 2021

1. M.Pulivahanan

2. Suganya

... Petitioners/Accused 1 & 2

Vs

State rep. By
The Inspector of Police,
Chinnamanur Police Station,
Theni District.
Crime No.212 of 2021)

... Respondent/Complainant

For Petitioners : Mr.Ranjith.N.,
Advocate.

For Respondent : Mr.K. Sanjay Gandhi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

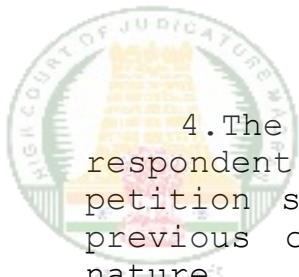
For anticipatory bail in crime no 212/2021 on the file of the inspector of police.

ORDER : The Court made the following order :-

The petitioners/A1 & A-2, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 147, 148, 448, 427, 324 and 506(ii) of IPC, in Crime No.212 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to some dispute between the petitioners and the defacto complainant, A-5 attacked one Vinotha with iron rod and the petitioners said to have threatened the defacto complainant and his neighbours with dire consequences. Hence, the complainant.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have been falsely implicated in this case. He would further submit that the petitioners are ready to abide by any conditions.



4. The learned Government Advocate (Crl. Side) appearing for the respondent police, on instructions, submitted that this is a second petition seeking anticipatory bail. He further submitted that one previous case is pending against the petitioners not similar in nature.

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5. Considering the facts and circumstances of the case and one previous case is pending against the petitioners though first anticipatory bail petition dismissed till now they were not arrested by the respondent police and hence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Uthamapalayam, within a period of fifteen days from the date of resumption of regular work in subordinate Courts, on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the said Magistrate and on further condition that:

[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners shall report before the respondent police on every Monday at 10.30 a.m., for a period of Eight weeks;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners shall not abscond either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**;

[f] If the accused/petitioners thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

10/06/2021

/ TRUE COPY /

/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE JUDICIAL MAGISTRATE, UTHAMAPALAYAM.
2. DO-THROUGH: THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
3. THE INSPECTOR OF POLICE,
CHINNAMANUR POLICE STATION,
THENI.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.7216 of 2021
Date :10/06/2021

KSA
TE/VR/SAR-IV : 15/06/2021 : 3P/5C